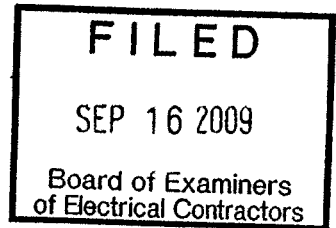


ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY
Division of Law 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101



STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF EXAMINERS OF ELECTRICAL
CONTRACTORS

IN THE MATTER OF THE
LICENSE OF

Peter J. Russo
License No. 34EI01525000

TO PRACTICE ELECTRICAL
CONTRACTING
IN THE STATE OF NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey State Board of Examiners of Electrical Contractors ("Board") upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent is a licensed electrical contractor in the State of New Jersey and has been a licensee at all times relevant hereto.
2. The Board received a complaint dated November 3, 2005, alleging that respondent had contracted to perform electrical work at 696 Westwood Avenue, River Vale, NJ on August 1, 2005, but that the work had failed inspection, and had not been corrected by respondent.

3. On December 23, 2005, the Board wrote to respondent by certified and regular mail at respondent's address of record, asking respondent inter alia for documentation relating to the complaint, including copies of the contract, as well as permitting and inspection documentation, and for a written explanation of his conduct. Certified mail was returned unclaimed. Regular mail was not returned. No response was received.

4. On February 7, 2006, the Board wrote to respondent again at respondent's address of record, reminding respondent of his duty as a licensee to cooperate with Board investigations, and asking respondent to furnish the requested documentation and explanation within ten days. Certified mail was signed for. Regular mail was not returned. No response was received.

DISCUSSION

A Provisional Order of Discipline was issued by the Board on April 5, 2006 and sent by certified mail to respondent's address in Township of Washington, New Jersey. A copy of the Order was forwarded to respondent's address of record by certified and regular mail. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following its entry unless respondent requested a modification or dismissal of the above stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal, setting forth in writing any and all reasons why said findings and conclusions should not be modified or dismissed, and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefore.

Respondent replied to the Provisional Order of Discipline by faxing a letter dated April 21, 2006 stating that he had completed the work at 696 Westwood Avenue, and passed his roughing inspection within 48 hours of failing. Respondent included with this letter a copy of the permit and date of the approved roughing. Furthermore, respondent stated that a final inspection had not been approved yet because a condemned house that was located near the work site had not been demolished yet to enable him to run underground feeds to the new house located in back of the condemned house. Respondent also apologized for the delay of his response.

The Board determined that respondent's letter raised additional questions which required an investigative inquiry. To that end, on September 3, 2008, respondent was served with an Administrative Action Subpoena for respondent's appearance before the Board on September 17, 2008. According to the investigator from the Division of Consumer Affairs Enforcement Bureau who executed the service, the subpoena was received by respondent's wife on August 21, 2008, who signed for the acceptance of service.

The Board received a letter from respondent on or around September 16, 2008, in which respondent requested that the Board reschedule his hearing due to personal and financial reasons. Respondent stated that he had been experiencing deep financial difficulties and that his business has suffered after he lost his business contractor's license and ceased to perform electrical work in New Jersey for about two years, that his home was in foreclosure and that there was a family medical issue that was recently diagnosed affecting his family responsibilities. The Board agreed to do so and rescheduled the matter to October 21, 2008.

On or about October 13, 2008, the Board received a second letter from respondent pleading to reschedule his hearing again. Respondent stated that he wished to hire an attorney to represent him, but could not afford to do so due to financial constraints. At this time, the Board has decided to finalize the Provisional Order of Discipline based upon respondent's continued failure to cooperate with the Board's investigation.

CONCLUSIONS OF LAW

Respondent's failure to reply to the two Board communications requesting information and documentation constitutes a failure to cooperate with a Board investigation, in violation of N.J.A.C. 13:45C-1.2,-1.3, subjecting respondent to sanctions pursuant to N.J.S.A. 45:1-21(e).

ACCORDINGLY, IT IS on this 16th day of Sept. , 2009,

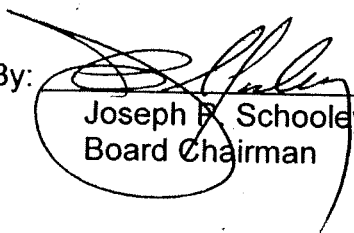
HEREBY ORDERED AND AGREED THAT:

1. A civil penalty in the amount of \$2,000.00 is hereby imposed upon respondent for his violation of N.J.A.C. 13:45C-1.2,-1.3.
2. Respondent is hereby suspended until he has furnished, to the Board's satisfaction, proof of final inspection approval for the work performed at 696 Westwood Avenue or appears at an investigative inquiry and responded fully to the Board's questions, and provides a reasonable excuse concerning the work he performed or was contracted to perform at 696 Westwood Avenue.
3. Respondent shall hereby turn over his pressure seal to the Enforcement Bureau investigator serving this Final Order of Discipline upon him or forward his pressure

seal to the Board within ten (10) days of the entering of this Final Order of Discipline, as required by N.J.A.C. 13:31-3.3(c).

NEW JERSEY STATE BOARD OF
EXAMINERS OF ELECTRICAL CONTRACTORS

By:



Joseph P. Schooley
Board Chairman